

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
Mary Ayantunji

DEFENDANTS
Hanesbrands Inc. i/s/h Hanesbrands, Inc.
Kohl's Department Stores, Inc.

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
Gogo & Moore, LLC
800 Third Street
New York, NY 10022//(212) 381-0776

ATTORNEYS (IF KNOWN)
Smith Mazure Director Wilkins Young & Yagerman, P.C.
111 John Street, 20th Floor
New York, NY 10038//(212) 964-7400

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Product liability/personal injury action sounding in negligence to be removed pursuant to 28 USC Section 1332

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes

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NATURE OF SUIT

(PLACE AN [x] IN ONE BOX ONLY)

CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/	[] 625 DRUG RELATED	[] 422 APPEAL	[] 375 FALSE CLAIMS
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	SEIZURE OF PROPERTY	28 USC 158	[] 376 QUI TAM
[] 130 MILLER ACT	LIABILITY	[x] 365 PERSONAL INJURY	21 USC 881	[] 423 WITHDRAWAL	[] 400 STATE REAPPORTMENT
[] 140 NEGOTIABLE	[] 320 ASSAULT, LIBEL &	PRODUCT LIABILITY	[] 690 OTHER	28 USC 157	[] 410 ANTITRUST
[] 150 INSTRUMENT	SLANDER	[] 368 ASBESTOS PERSONAL			[] 430 BANKS & BANKING
RECOVERY OF	EMPLOYERS' LIABILITY	INJURY PRODUCT LIABILITY	PROPERTY RIGHTS		[] 450 COMMERCE
OVERTIME & ENFORCEMENT	[] 330 FEDERAL				[] 460 DEPORTATION
OF JUDGMENT	EMPLOYERS' LIABILITY				[] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
MEDICARE ACT	[] 340 MARINE	PERSONAL PROPERTY	[] 820 COPYRIGHTS		[] 480 CONSUMER CREDIT
RECOVERY OF	[] 345 MARINE PRODUCT LIABILITY	[] 370 OTHER FRAUD	[] 830 PATENT		[] 490 CABLE/SATELLITE TV
DEFUNTED	[] 350 MOTOR VEHICLE	[] 371 TRUTH IN LENDING	[] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		
STUDENT LOANS (EXCL VETERANS)	[] 355 MOTOR VEHICLE		[] 840 TRADEMARK		
RECOVERY OF	PRODUCT LIABILITY			SOCIAL SECURITY	
OVERTIME &	[] 360 OTHER PERSONAL INJURY	[] 380 OTHER PERSONAL PROPERTY DAMAGE	LABOR	[] 861 HIA (1395ff)	[] 850 SECURITIES/ COMMODITIES/ EXCHANGE
OF VETERAN'S BENEFITS	[] 362 PERSONAL INJURY - MED MALPRACTICE	[] 385 PROPERTY DAMAGE	[] 710 FAIR LABOR STANDARDS ACT	[] 862 BLACK LUNG (923)	
STOCKHOLDERS SUITS		PRODUCT LIABILITY	[] 720 LABOR/MGMT RELATIONS	[] 863 DIWC/DIWW (405(g))	
OTHER CONTRACT		PARTNER PETITIONS	[] 740 RAILWAY LABOR ACT	[] 864 SSID TITLE XVI	[] 890 OTHER STATUTORY ACTIONS
CONTRACT PRODUCT LIABILITY	[] 463 ALIEN DETAINEE	[] 510 MOTIONS TO VACATE SENTENCE	[] 751 FAMILY MEDICAL LEAVE ACT (FMLA)	[] 865 RSI (405(g))	[] 891 AGRICULTURAL ACTS
FRANCHISE	ACTIONS UNDER STATUTES	28 USC 2255		FEDERAL TAX SUITS	
CIVIL RIGHTS	[] 530 HABEAS CORPUS	[] 790 OTHER LABOR LITIGATION	[] 870 TAXES (U.S. Plaintiff or Defendant)		[] 893 ENVIRONMENTAL MATTERS
	[] 535 DEATH PENALTY	[] 791 IRS-THIRD PARTY	[] 871 IRS-THIRD PARTY		[] 895 FREEDOM OF INFORMATION ACT
	[] 540 MANDAMUS & OTHER	26 USC 7609			[] 896 ARBITRATION
REAL PROPERTY	[] 440 OTHER CIVIL RIGHTS (Non-Prisoner)		SECURITY ACT (ERISA)		[] 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION
	[] 441 VOTING				[] 950 CONSTITUTIONALITY OF STATE STATUTES
	[] 442 EMPLOYMENT	PRISONER CIVIL RIGHTS	IMMIGRATION		
	[] 443 HOUSING/ ACCOMMODATIONS				
	[] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[] 550 CIVIL RIGHTS	[] 462 NATURALIZATION		
		[] 555 PRISON CONDITION	APPLICATION		
		[] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT	[] 465 OTHER IMMIGRATION ACTIONS		
	[] 446 AMERICANS WITH DISABILITIES - OTHER				
	[] 448 EDUCATION				
	REAL PROPERTY				

Check if demanded in complaint:

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint

(PLACE AN *x* IN ONE BOX ONLY)

- | | | | | | | |
|---|--|--|---|--|---|---|
| <input type="checkbox"/> 1 Original Proceeding | <input checked="" type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from (Specify District) | <input type="checkbox"/> 6 Multidistrict Litigation (Transferred) | <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge |
| <input checked="" type="checkbox"/> a. all parties represented | | | <input type="checkbox"/> b. At least one party is pro se. | | | |
| <input type="checkbox"/> 8 Multidistrict Litigation (Direct File) | | | | | | |

(PLACE AN *x* IN ONE BOX ONLY)

- 1 U.S. PLAINTIFF 2 U.S. DEFENDANT 3 FEDERAL QUESTION 4 DIVERSITY
(U.S. NOT A PARTY)

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [X] 1	DEF [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF [] 3	DEF [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [] 5	DEF [X] 5
CITIZEN OF ANOTHER STATE	[] 2	[] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4	[] 4	FOREIGN NATION	[] 6	[] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Mary Ayantunji
 3122 Seymour Avenue
 Bronx, NY 10469
 Bronx County

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Hanesbrands Inc./1000 E. Hanes Mill Road//Winston-Salem, NC
 Forsyth County

Kohl's Department Stores, Inc./N56 W17000 Ridgeway Drive//Menomonee, WI
 Waukesha County

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:



COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN

DATE

SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO
 YES (DATE ADMITTED Mo. 03 Yr. 2005)
 Attorney Bar Code #

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)